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RCE/1617/#

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/920,340
Filing Date	August 1, 2001
First Named Inventor	Leonard W. KAPLAN
Art Unit	1617
Examiner Name	Mojdeh BAHAR
Attorney Docket Number	3400-0008 (formerly 9500-0001)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment
- ii. ☒ Declaration of Leonard W. Kaplan, M.D.
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other "Guidelines for the Diagnosis and Management of Asthma" report (attached to Declaration)

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-0580.
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 580.00 enclosed
- i. ☒ RCE fee as required under 37 CFR 1.17(e) (\$375 for small entity)
- ii. ☒ Two-month extension of time fee (37 CFR 1.136 and 1.17) (\$205 for small entity)
- iii. ☐ Other _____
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Karen Canaan	Registration No. (Attorney/Agent)	42,382
Signature	<i>Karen Canaan</i>	Date	September 4, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 4, 2003.

Name (Print/Type)	Margaret K. Surridge	Date	September 4, 2003
Signature	<i>Margaret K. Surridge</i>		